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WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS,

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PAID

That **ARLYNE R. SACKS** and **DIANE SACKS KONOWITZ**, Trustees of **WATERVILLE SHOPPING TRUST**, a real estate holding trust duly established by a Declaration of Trust dated January 15, 1973, as amended, and recorded in the Kennebec County Registry of Deeds in Book 1610, Page 1, in consideration of ONE DOLLAR (\$1.00) and other valuable considerations, paid by **ELM PLAZA CORPORATION**, a corporation duly established by law and having a place of business in Waterville, in the County of Kennebec, and State of Maine, the receipt whereof we do hereby acknowledge, do hereby **give, grant, bargain, sell and convey**, unto the said **ELM PLAZA CORPORATION**, its successor/successors and assigns forever,

A CERTAIN lot or parcel of land situated in Waterville, in the County of Kennebec and State of Maine, more particularly bounded and described as follows:

COMMENCING at a point in the westerly right-of-way line of Main Street in Waterville, Maine, which point is also situated in the northerly boundary line of property of McDonald's Corporation; thence North two degrees thirty-four minutes forty-five seconds West (N 2° 34' 45" W) a distance of twelve and seventy hundredths feet (12.70') to a highway monument; thence in a general northerly direction along the westerly right-of-way line of Main Street a distance of ninety-nine and forty-seven hundredths feet (99.47') to an iron pin; thence along a convex arc having a length of five hundred seventy and fifty-six hundredths feet (570.56'), a radius of twenty-four and seventy-four hundredths feet (24.74') and a central angle of eight degrees seven minutes thirty-one seconds (8° 7' 31") along the easterly right-of-way line of Main Street to an iron pin; thence North ten degrees forty-two minutes forty seconds West (N 10° 42' 40" W) a distance of five hundred sixty-nine and eleven hundredths feet (569.11') to an iron pin; thence North sixty-five degrees forty-two minutes twenty-one seconds West (N 65° 42' 21" W) along the southwesterly boundary of premises of Foresite, Inc. (previously Rosenthal Investments, Inc.) a distance of one hundred seventeen and one tenth feet (117.1') to an iron pin; thence North forty-eight degrees fifty-five minutes seventeen seconds West (N 48° 55' 17" W) a distance of two hundred and seven hundredths feet (200.07') to an iron pin; thence North sixty-five degrees forty-three minutes seventeen seconds West (N 65° 43' 17" W) a distance of nine hundred fifty feet (950') along premises now of Foresite, Inc. (previously Rosenthal Investments, Inc.) to an iron pin; thence North sixty-five degrees forty-three minutes seventeen seconds West (N 65° 43' 17" W) a distance of one hundred ninety feet (190') to an iron pin; thence South ten degrees forty-two minutes forty seconds East (S 10° 42' 40" E) a distance of twelve hundred fifty-two and sixty-five feet (1252.65') along the easterly line of premises of Foresite, Inc. to an iron pin; thence South sixty-six degrees thirteen minutes thirty seconds East (S 66° 13' 30" E) a distance of one hundred eighty-eight and eighty-five hundredths feet (188.85') to an iron pin; thence in the same course South sixty-six degrees thirteen minutes thirty seconds East (S 66° 13' 30" E) a distance of two hundred twenty-three and thirty-five hundredths feet (223.35') to an iron pin; thence South two degrees forty-two minutes seventeen seconds East (S 2° 42' 17" E) a distance of thirty-six and sixty-two hundredths feet (36.62') to an iron pin; thence South sixty-six degrees thirteen minutes thirty seconds East (S 66° 13' 30" E) a distance of five hundred feet (500') to an iron pin; thence South two degrees forty-two minutes seventeen seconds East (S 2° 42' 17" E) a distance of one hundred eighty-two and ninety-eight hundredths feet (182.98') to an iron pin; thence North eighty-seven degrees seventeen minutes forty-three seconds East (N 87° 17' 43" E) a distance of forty-six and

forty-two hundredths feet (46.42') to an iron pin; thence in the same course North eighty-seven degrees seventeen minutes forty-three seconds East (N 87° 17' 43" E) a distance of one hundred eighty-three and eight hundredths feet (183.08') to the point of beginning.

Excepting and reserving to the within Grantor, its successor/successors or assigns, a twenty-five (25) year leasehold interest to all of the within described premises and structures situated thereon, including but not limited to all existing leases affecting the within described premises in accordance with the terms of an Indenture of Reservation of Lease dated July 2, 1990, as evidence by an Abstract of Lease also dated July 2, 1990, to be recorded in the Kennebec County Registry of Deeds.

Meaning and intending hereby to convey the premises acquired by the Trustees of Waterville Shopping Trust by deed dated August 31, 1973, and recorded in the Kennebec County Registry of Deeds in Book 1678, Page 116, and by deed of Servicenter, Inc. of even date herewith to be recorded in the Kennebec County Registry of Deeds.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said **ELM PLAZA CORPORATION**, its successor/successors and assigns, to its and their use and behoof forever.

And we do covenant with the said Grantee, its successor/successors and assigns, that we are lawfully seized in fee of the premises; that they are free of all encumbrances: EXCEPT AS AFORESAID; that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will **Warrant and Defend** the same to the said Grantee, its successor/successors and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, we the said **ARLYNE R. SACKS** and **DIANE SACKS KONOWITZ**, as Trustees of the Waterville Shopping Trust, hereunto duly authorized have hereunto set our hands and seals this 2nd day of July, in the year of our Lord one thousand nine hundred and ninety.

Signed, Sealed and Delivered
in the presence of:

Albert S. Bernier

WATERVILLE SHOPPING TRUST

Arlyne R. Sacks
Arlyne R. Sacks, Trustee

Martha E. Hucks

Diane Sacks Konowitz
Diane Sacks Konowitz, Trustee

STATE OF MAINE
KENNEBEC, ss.

Dated: July 2, 1990

Personally appeared the above named **Arlyne R. Sacks** and **Diane Sacks Konowitz**, as Trustees of **WATERVILLE SHOPPING TRUST**, and acknowledged the above instrument to be their free act and deed in their said capacities.

Before me,

Albert S. Bernier

Notary Public

Print Name:

My Commission Expires:

SEAL

ALBERT L. BERNIER
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES DECEMBER 17, 1996

RECEIVED KENNEBEC SS.

1990 JUL 31 PM 1:00

ALSO: Martha E. Hucks
REGISTERED OF DEEDS